MT LEGISLATIVE HISTORY

Chapter 334 1983

Bill H _____ (S) 388 Original bill & hist. ✓C

H. Committee on Judiciary		S. Committee on Judiciary	
Hearing Date(s) MAR 14	✓C	Hearing Date(s) FEB 15	✓C
_____	___C	FEB 17	✓C
_____	___C	_____	___C
_____	___C	_____	___C
Date Out MAR 14	✓C	FEB 17	✓C

Did this bill originate in an interim committee? ___Yes ___No

Committee _____ Report _____

SENATE BILL NO. 388

INTRODUCED BY BLAYLOCK

IN THE SENATE

February 9, 1983	Introduced and referred to Committee on Judiciary.
February 18, 1983	Committee recommend bill do pass as amended. Report adopted.
February 19, 1983	Bill printed and placed on members' desks.
February 21, 1983	Second reading, do pass.
February 22, 1983	Correctly engrossed.
February 23, 1983	Third reading, passed. Ayes, 49; Noes, 0. Transmitted to House.

IN THE HOUSE

February 28, 1983	Introduced and referred to Committee on Judiciary.
March 14, 1983	Committee recommend bill be concurred in as amended. Report adopted.
March 18, 1983	Second reading, concurred in.
March 19, 1983	Third reading, concurred in.

IN THE SENATE

March 21, 1983	Returned to Senate with amendments.
March 22, 1983	Second reading, amendments concurred in.

March 23, 1983

Third reading, amendments concurred in. Ayes, 49; Noes, 1.

Sent to enrolling.

Reported correctly enrolled.

Senate BILL NO. 388

INTRODUCED BY Blaylock

A BILL FOR AN ACT ENTITLED: "AN ACT TO AMEND THE COMPLAINT AND INITIAL INVESTIGATION PROVISIONS OF THE LAWS RELATING TO MISCONDUCT BY JUDICIAL OFFICERS; PROVIDING FOR NOTICE; AMENDING SECTION 3-1-1106, MCA."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

Section 1. Section 3-1-1106, MCA, is amended to read:

"3-1-1106. Investigation of judicial officers -- complaint -- hearing -- recommendations. (1) (a) The commission, on its own motion or upon the filing of a written complaint by any citizen of the state, may, upon good cause shown, initiate an investigation of any judicial officer in the state ~~by filing a verified written complaint with the commission~~ to determine if there are grounds for conducting additional proceedings before the commission. If the commission's investigation indicates that additional proceedings before the commission may be justified, the commission shall adopt a verified written complaint or require the citizen who filed the original written complaint to sign a verified written complaint before conducting such additional proceedings.

(b) The commission shall give the judicial officer written notice of the commission's motion or the citizen's complaint and of the initiation of an investigation. Notice must also be given if a verified written complaint is adopted or filed and must include the charges made, the grounds for the charges, and a statement that the judicial officer may file an answer. The notice must be signed by the commission.

(2) The commission, after such investigation as it considers necessary and upon the a finding of good cause, may:

(a) order a hearing to be held before it concerning the censure, suspension, removal, or retirement of a judicial officer; or

(b) confidentially advise the judicial officer and the supreme court, in writing, that the complaint will be dismissed if the judicial officer files with the commission a letter stating that he will take corrective action; or

~~(b)~~(c) request the supreme court to appoint one or more special masters who are judges of courts of record to hear and take evidence and to report to the commission.

(3) If after hearing or after considering the record and report of the masters the commission finds the charges true, it shall recommend to the supreme court the censure, suspension, removal, or retirement of the judicial officer."

-End-

INTRODUCED BILL

SB 388

Approved by Committee on Judiciary

SENATE BILL NO. 388

INTRODUCED BY BLAYLOCK

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SECOND READING

SENATE BILL NO. 388

INTRODUCED BY BLAYLOCK

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-End-

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SENATE BILL NO. 388

INTRODUCED BY BLAYLOCK

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(a) order a hearing to be held before it concerning the censure, suspension, removal, or retirement of a judicial officer; or

(b) confidentially advise the judicial officer and the supreme court, in writing, that the complaint will be dismissed if the judicial officer files with the commission a letter stating that he will take corrective action SATISFACTORY TO THE COMMISSION; or

~~(b)~~(c) request the supreme court to appoint one or more special masters who are judges of courts of record to hear and take evidence and to report to the commission.

(3) If after hearing or after considering the record and report of the masters the commission finds the charges true, it shall recommend to the supreme court the censure, suspension, removal, or retirement of the judicial officer."

-End-

REFERENCE BILL

48th LEGISLATIVE SESSION

COMMITTEE ON SENATE JUDICIARY

SENATE BILL NO.	ENTERED COMM.	DATE CONSIDERED	OUT OF COMM.	DO PASS DATE	DO NOT PASS DATE	DO PASS AS AMEND. DATE	BE CONCURRED IN DATE	BE CONC. IN AS AMENDED DATE	BE NOT CONCURRED IN DATE
321	1-31-83	2-3-83	2-3-83	2-3-83					
326	1-31-83	2-7-83	2-7-83		2-7-83				
328	1-31-83	2-7-83	2-7-83		2-7-83				
347	2-3-83	2-16-83	2-18-83			2-18-83			
348	2-3-83	2-16-83	TABLED						
351	2-3-83	2-9-83	2-15-83			2-15-83			
352	2-7-83	2-10-83	2-10-83	2-10-83					
354	2-7-83	2-10-83	2-15-83			2-15-83			
366	2-7-83	2-10-83	TABLED						
371	2-7-83	2-11-83	2-15-83	2-15-83					
373	2-7-83	2-11-83	2-15-83	2-15-83					
381	2-9-83	2-14-83	2-15-83			2-15-83			
385	2-9-83	2-14-83	2-17-83		2-17-83				
386	2-9-83	2-15-83	2-15-83	2-15-83					
388	2-9-83	2-15-83	2-17-83			2-17-83			
389	2-9-83	2-14-83	2-14-83		2-14-83				

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(Use a separate Sheet for Senate, House Bills, and Resolutions)

CONSIDERATION OF SENATE BILL 388: Senator Blaylock, sponsor, advised that this bill would set up procedures by which the Judicial Standards Commission investigates complaints. Upon their own motion, or a written complaint, the Judicial Standards Commission could instigate an investigation. SB388 provides the Commission with a method of operation and requires them to obtain a verified written complaint and to inform the judicial officer who is to be investigated of what the charges are against him. Senator Blaylock stressed that the rights of the person to be investigated must be protected. The Commission could not take any action against the official, but would investigate and refer their investigation to the Supreme Court if warranted. This procedure would give the people of the state some small way to voice their complaints.

There being no proponents or opponents present, the hearing was opened to questions from the Committee.

The Committee was specifically concerned with confidentiality prior to a hearing. Senator Blaylock advised that no investigation would become public information until the Supreme Court makes a disposition.

The use of a verified complaint was discussed and Senator Blaylock explained the need for this. The Committee was concerned that the Commission could instigate an investigation upon its own motion. It was suggested that there should be some threshhold requirement for the commission to act on its own motion.

There being no further discussion by the Committee, the hearing was closed.

CONSIDERATION OF SENATE BILL 386: Senator Halligan, sponsor, advised that this bill deals with contempt of court. It's purpose is to expand the kinds of contemptuous conduct by a litigant or his attorney.

PROPONENTS: Judge Jim Wheelis, District Judge of the 4th Judicial District, supported the bill. He advised that it is aimed more at a litigant rather than his attorney. It is his opinion that in the "presence of court" should be expanded to include different forms of communication and a variety of places. He also sees a need for a stiffer fine and/or imprisonment of persistent offenders.

There being no further proponents, no opponents, and no questions from the Committee, the hearing was closed.

CONSIDERATION OF SENATE BILL 388: Senator Daniels, sponsor, advised that his witness was not available to testify at the hearing scheduled for this date and asked that the hearing be rescheduled. The Committee acknowledged this request.

The Chairman announced that the Committee had time to consider executive action on several bills previously heard.

ACTION ON SENATE BILL 203: Senator Crippen moved SB203 DO PASS. He stated that the allowing of retired judges to assist in jurisdictions which are overloaded is an important addition to SB26. The Committee discussed voluntary versus involuntary retirement as a proposed requirement in this bill. Length of terms served, experience and acceptance by the voters were reviewed. The Committee was made aware that there is a package of bills in the House which deal with judges and retirement. Senator Mazurek felt the judges should be tied to some number of years of service rather than voluntary retirement. The Committee decided they could not sway from the retirement qualification and keep those judges who had been defeated on election from participating. It was the consensus of the Committee that judges who were "involuntarily retired" (i.e., not re-elected), should also be included in the pool of available talent. Senator Crippen then withdrew his original motion and moved to amend SB203 as follows: Page 1, following "justice" strike the remainder of line 14 through 16 in their entirety, insert "who has retired after not less than eight years of service." This motion passed unanimously. Senator Crippen then moved SB203 DO PASS AS AMENDED. This motion also passed unanimously.

ACTION ON SENATE BILL 225: Senator Mazurek moved to adopt the amendments as proposed by the Department of Institutions, Counsel advised the language of the proposed amendment needed rewording and that the amendment should also be inserted in the provisions on page 3 applying to minors. Senator Mazurek moved to amend SB225 as suggested by Committee counsel. This motion passed unanimously. Senator Mazurek then moved SB225 DO PASS AS AMENDED. This motion also passed unanimously.

ACTION ON SENATE BILL 261: The need for plain language contracts was discussed. Senator Mazurek didn't see the reason for legislating this type of language and moved to TABLE SB261. This motion carried with Senator Halligan voting in opposition.

ACTION ON SENATE BILL 313: The Committee discussed the authority SB313 gives to an officer to immediately suspend or revoke a drivers license. Senator Crippen moved SB313 DO PASS. Senator Halligan emphasized the abuse of the system as it is now, which provides that a license is suspended for only 60 days for failure to submit to a chemical test. He stated he was willing to bend a little if the Committee feels six months is too long for the suspension. Convictions without a chemical test were discussed. The Committee questioned if habitual offender points are accumulated for failure to submit to a chemical test. Sections 61-5-205 and 61-11-203 were reviewed. It was ascertained that six points are assessed against a driving record for driving with a license suspended, but there was no provision dealing with failure to take a chemical test. A roll-call vote

section 9 through 20 in their entirety. He also moved to provide for an immediate effective date and to reflect all these changes in the title accordingly. This motion passed unanimously. Senator Brown then moved SB391 DO PASS AS AMENDED. This motion also passed unanimously.

The Committee agreed that all future amendments to bills should reflect these changes in the title automatically.

FURTHER CONSIDERATION OF SENATE BILL 388: SB388 was referred to counsel for amending to delete the commission's authority to act upon its own motion.

ACTION ON SENATE BILL 394: The Committee felt that appeals on the basis of cruel and unusual punishment would be eliminated by the enactment of this bill. Senator Brown stated that John Maynard's suggestion to amend SB394 to become retroactive was advisable. He then moved to amend the bill to provide for a retroactive effective date. This motion passed unanimously. Senator Brown further moved that SB394 DO PASS AS AMENDED. This motion also passed unanimously.

ADJOURN: There being no further business before the Committee, the meeting was adjourned at 12:00.

JEAN A. TURNAGE
Chairman, Judiciary Committee

ROLL CALL

JUDICIARY COMMITTEE

48th LEGISLATIVE SESSION - - 1983 Date 2-15-83

NAME	PRESENT	ABSENT	EXCUSED
Berg, Harry K. (D)	✓		
Brown, Bob (R)	✓		
Crippen, Bruce D. (R)	✓		
Daniels, M. K. (D)	✓		
Galt, Jack E. (R)	✓		
Halligan, Mike (D)	✓		
Hazelbaker, Frank W. (R)	✓		
Mazurek, Joseph P. (D)	✓		
Shaw, James N. (R)	✓		
Turnage, Jean A. (R)	✓		

Each day attach to minutes.

Senator Berg then moved SB366 DO NOT PASS. This motion carried with Senators Galt, Mazurek, Crippen and Turnage voting in opposition.

ACTION ON SENATE BILL 385: The Committee discussed the need for this bill and how requiring inspection of vehicles for identification numbers would cause additional work and expense for innocent owners. Senator Halligan moved SB385 DO NOT PASS. This motion carried unanimously.

ACTION ON SENATE BILL 388: Counsel distributed amendments and reviewed how the amendment would take the power away from the commission for it to act upon its own motion. Senator Berg moved to adopt the proposed amendment. This motion passed unanimously. Senator Berg then moved SB388 DO PASS AS AMENDED. This motion also passed unanimously.

ACTION ON HOUSE BILL 327: The Committee agreed that shoplifting is a problem, but felt this was a bad bill. The idea that a merchant could frisk a person in private concerned the Committee. It was the consensus of the Committee that it would take too much work to reword the bill; therefore, Senator Berg moved SB327 BE NOT CONCURRED IN. This motion carried with Senator Crippen voting in opposition.

ACTION ON HOUSE BILL 452: Amendments were distributed that would assure the results of a polygraph test could not be admitted into evidence during the course of a trial. The bill would still provide that a polygraph examiner must be licensed and subject to continuing education. Senator Crippen moved to adopt the proposed amendments. This motion carried unanimously. Senator Crippen then moved that HB452 BE CONCURRED IN AS AMENDED. This motion carried with Senators Shaw, Mazurek, Daniels and Galt voting in opposition.

ACTION ON HOUSE BILL 143: It was the consensus of the Committe that this was not a good bill. Senator Berg moved HB143 BE NOT CONCURRED IN. This motion carried with Senator Hazelbaker voting in opposition.

ACTION ON SENATE BILL 313: Senator Mazurek moved that SB313 BE TAKEN FROM THE TABLE. This motion passed unanimously. The Committee then amended the bill to remove the authority from the arresting officer to revoke or suspend the license and to decrease the period of suspension and revocation. Senator Halligan moved to adopt the amendments. This motion passed unanimously. Senator Halligan then moved SB313 DO PASS AS AMENDED. This motion passed unanimously.

ROLL CALL

JUDICIARY COMMITTEE

48th LEGISLATIVE SESSION - - 1983 Date 2-17-83

NAME	PRESENT	ABSENT	EXCUSED
Berg, Harry K. (D)	✓		
Brown, Bob (R)	✓		
Crippen, Bruce D. (R)	✓		
Daniels, M. K. (D)	✓		
Galt, Jack E. (R)	✓		
Halligan, Mike (D)	✓		
Hazelbaker, Frank W. (R)	✓		
Mazurek, Joseph P. (D)	✓		
Shaw, James N. (R)	✓		
Turnage, Jean A. (R)	✓		

STANDING COMMITTEE REPORT

February 17 19 83

MR. PRESIDENT

We, your committee on Judiciary

having had under consideration Senate Bill No. 388

Blaylock

Senate

Respectfully report as follows: That Bill No. 388

introduced bill, be amended as follows:

1. Page 1, line 13.
   Strike: "on its own motion or"

2. Page 1, line 21.
   Strike: "adopt a verified written complaint or"

3. Page 2, line 1.
   Strike: "commission's motion or the"

4. Page 2, line 4.
   Strike: "adopted or"

And, as so amended,

DO PASS

JEAN A. TURNAGE, Chairman.

STATE PUB. CO.
Helena, Mont.

STATUS SHEET

HOUSE JUDICIARY COMMITTEE

48TH Legislature

Bill No.	Subject matter	Date In	Sponsor	Hearing Date	Committee Action	Date Out
SB 371	Providing that if it is in the best interest of a child a child custody decree may be modified when a child aged 14 years desires, etc.	2/28/83	Sen. Fuller	3/14/83	Be Concurred In As Amended	3/14/83
SB 373	Validating unacknowledged deeds executed prior to Jan.1,1983; validating and making sufficient as legal notice of the interest contained therein	2/28/83	Sen. Van Valkenburg	3/14/83	Be Concurred In	3/14/83
SB 381	An act to allow all grandparents the opportunity to seek visitation rights with their grandchildren	2/28/83	Sen. Hager	3/15/83	Be Concurred In Rereferred Table	3/15/83 3/21/83
SB 386	Providing a direct communication to a judge by a litigant or his atty. that intends to influence outcome constitutes contempt	2/28/83	Sen. Halligan	3/11/83	Be Not Concurred In, As Amended	3/11/83
SB 388	Amends the complaint and initial investigation provision of the law relating to misconduct by judicial officers, etc.	2/28/83	Sen. Blaylock	3/14/83	Be Concurred In As Amended	3/14/83
SB 391	To generally revise criminal penalties; increasing dollar amount required before penalties are increased, etc.	2/28/83	Sen. Eck	3/14/83	Be Concurred In As Amended	3/22/83

Form CS-32
1-79

She indicated that Representative Addy will handle the bill on the House floor.

There were no further proponents and no opponents. SENATOR ECK closed.

REPRESENTATIVE EUDAILY noted that the effective date was on passage and approval and wondered about this. SENATOR ECK replied that it was just drafted that way and she did not know what difference it made. She said that knowing that this is a bill that would affect a lot of attorneys around the state and knowing how late we usually are in getting the additions to the codes printed, that it should be left as July.

REPRESENTATIVE BERGENE said that there was a bill about fraudulent checks; that they are going to try to reinsert the language in that bill in conference committee to say "shall not exceed $500.00". She wondered if there would be any conflict with this bill. SENATOR ECK replied that she did not think so.

There were no further questions and the hearing on this bill was closed.

SENATE BILL 388

SENATOR BLAYLOCK, District 35, said that this bill is a follow-up on SB 326, which is now on its way to the ballot and provides that the Supreme Court may discipline a judge who violates the judicial canons of ethics. This bill as amended, revises the law concerning action taken by the judicial standards commission in the event of judicial misconduct. He said the way the bill was drafted was that the commission could act on its own motion and the Senate Judiciary Committee struck that and put in "upon the filing of a written complaint"; he accepted that and felt it was a good addition.

STEVE BROWN, representing the Montana Judges Association, stated that the language in the bill was recommended by Judge Martin, who is the chairman of the Judicial Standards Commission. He thought an interesting feature was the language on page 2, lines 14 through 17, which was the commission's recommendation that if there is an indication there might be a problem, that the judicial officer may file with the commission a letter stating that there will be corrective action taken, and that will end it.

MINUTES OF THE JUDICIARY COMMITTEE
March 14, 1983

The meeting of the House Judiciary Committee was called to order by Chairman Dave Brown in room 224A of the capitol building, Helena, Montana at 8:32 a.m. All members were present as was Brenda Desmond, Staff Attorney for the Legislative Council.

SENATE BILL 391

SENATOR ECK, District 39, explained that this bill was suggested by a local attorney, Mr. Anderson; and that, in the amended form, it merely extends what is considered a felony from a misdemeanor from $150.00 to $500.00, which means cases involving criminal misuse, theft, failure to return rented or leased property and issuances of bad checks and a few other things, if the amount involved is less thatn $500.00 would be considered a misdemeanor and tried in justice court. She stated that this could make a significant impact on our court system as they felt that half or more of the cases would be tried in justice court rather than district court.

She indicated that there are several provisions that she would like them to consider reinserting that the Senate Judiciary had struck out when they intended to strike the restitution language. She thought that the major one is the provision that in a case of a deferred imposition of sentence, the judge could assign a person to the county jail up to 180 days rather than the 90-day limitation now.. She commented that this would provide a little flexibility at the early end of sentencing; and the judge could have someone stay in jail nights and weekends, while still maintaining his job. She thought that a 180-day sentence is a significant sentence and is the kind of sentence that might replace a prison sentence; whereas a judge might think that 90 days is not sufficient.

She stated that she was concerned about the costs to the counties and felt that the person should be allowed to work and pay for the costs of his confinement. She noted, at the present time, the cost of confinement is not one of the things that is considered eligible for restitution. She suggested that the committee hold this bill until they hear Senator Halligan's bill on restitution next Monday.

She offered a statement from John Maynard, Staff Attorney General, who was not able to appear before the committee. See EXHIBIT A.

She indicated that Representative Addy will handle the bill on the House floor.

There were no further proponents and no opponents. SENATOR ECK closed.

REPRESENTATIVE EUDAILY noted that the effective date was on passage and approval and wondered about this. SENATOR ECK replied that it was just drafted that way and she did not know what difference it made. She said that knowing that this is one that would effect a lot of attorneys around the state and knowing how late we usually are in getting the additions to the codes printed, that it should be left as July.

REPRESENTATIVE BERGENE said that there was a bill about fraudulent checks; that they are going to try to reinsert the language in that bill in conference committee to say "shall not exceed $500.00". She wondered if there would be an conflict with this bill. SENATOR ECK replied that she did not think so.

There were no further questions and the hearing on this bill was closed.

SENATE BILL 388

SENATOR BLAYLOCK, District 35, said that this bill is a follow-up on SB 326, which is now on its way to the ballot; this will give the judicial canons of ethics as a criteria on which the judge judges. He said the way the bill was drafted was that the commission could act on its own motion and the Senate Judiciary Committee struck that and put in "upon the filing of a written complaint"; he accepted that and felt it was a good addition.

STEVE BROWN, representing the Montana Judges Association, stated that the language in the bill was recommended by Judge Martin, who is the chairman of the Judicial Standards Commission. He thought an interesting feature was the language on page 2, lines 14 through 17, which was the commission's recommendation that if there is an indication there might be a problem, that the judicial officer may file with the commission a letter stating that there will be corrective action taken, and that will end it.

There were no further proponents and no opponents.

SENATOR BLAYLOCK closed.

REPRESENTATIVE SPAETH noted on page 1, lines 14 and 15, the language, "may, upon good cause shown," was striken and he wondered why this was striken. MR. BROWN replied that the biggest problem is that when you get a letter in, you do not know if there is good cause or not; the problem with Shea was that they could not even conduct an investigation to determine if there was any basis for pursuing that; this clarifies that section to allow them at least to call up a judge and say that they have received a complaint about their action and if it turns out that it is a frivolous complaint, that is the end of it right there. He said that in the Shea case, it indicated that they couldn't even do that.

REPRESENTATIVE EUDAILY referred to the corrective action on page 2, line 17 and wondered if a person was in trouble with some action and said that he was going to correct it, but no one tells him how much they want him to correct it or what they want him to correct, if this was not a little open because it is his discretion what the corrective action is rather than the commission's. MR. BROWN responded that the way he felt that that reads is if the corrective action was considered suitable by the commission, that would be all, but the commission would have the opportunity to come back and say that that does not go far enough and he felt that they would have to judge each case on its own facts.

REPRESENTATIVE EUDAILY questioned if he thought it would be necessary to say that he would take corrective action subject to the approval of the commission. MR. BROWN replied that he thought it was understood.

REPRESENTATIVE KEYSER said that he thought that the person should do more than just say that he will take corrective action, he should say what that action is - that he will do this, this and this. He felt that if he stated in his letter what that corrective action would be, the commission could come back and say that this is not what we had in mind - this is what we mean. MR. BROWN said that if they wanted to clarify this, then he would think they could take the language suggested by Representative Eudaily.

There were no further questions and the hearing on this bill was closed. Representative Addy will carry the bill in the House.

EXECUTIVE SESSION

SENATE BILL 388

REPRESENTATIVE KEYSER moved that this bill BE CONCURRED IN. REPRESENTATIVE BERGENE seconded the motion.

REPRESENTATIVE EUDAILY moved that the bill be amended on page 2, line 17, following "action" by inserting "satisfactory to the commission". REPRESENTATIVE SPAETH seconded the motion. The motion carried unanimously.

REPRESENTATIVE KEYSER moved that the bill BE CONCURRED IN AS AMENDED. REPRESENTATIVE BERGENE seconded the motion. The motion carried unanimously.

SENATE BILL 391

The hearing on this bill was reopened.

MAC ANDERSON, an attorney from Bozeman, who served as a part-time public defender, testified that two years ago, Senator Eck introduced something like this bill because of the inflationary pressures. He indicated that in 1907 or thereabouts the difference between a misdemeanor and a felony was $25.00; in 1973, this was raised to $150.00; and he thought that raising this to $500.00 will help the problem in district court. He said that in the last two weeks he had a case where a boy had stolen a car that was worth $200.00 - it was his first offense and he was designated as a felon.

In connection with raising the time in which a judge could sentence from 90 to 180 days in the county jail, he commented that this would give the judge the same sentencing authority that the justice of peace has, as they can sentence to 6 months in jail.

He noted that the other thing that was amended out was restitution and he testified that he was involved in a case, State vs. Morgan, where the judge required a man to pay $75.00 a month to the survivors of an automobile accident; and the Supreme Court found that restitution was proper in this case.

REPRESENTATIVE IVERSON said that last session when they were dealing with Keedy's mandatory sentencing bill, this problem

STANDING COMMITTEE REPORT

March 14, 1983

MR. SPEAKER;

We, your committee on JUDICIARY

having had under consideration SENATE Bill No. 388

third reading copy (blue color)

"AN ACT TO AMEND THE COMPLAINT AND INTIAL INVESTIGATION PROVISIONS OF THE LAWS RELATING TO MISCONDUCT BY JUDICIAL OFFICERS; PROVIDING FOR NOTICE; AMENDING SECTION 3-1-1106, MCA."

Respectfully report as follows: That SENATE Bill No. 388

BE AMENDED AS FOLLOWS:

1. Page 2, line 17.
Following: "action"
Insert: "satisfactory to the commission"

AND AS AMENDED
BE CONCURRED IN

~~XXXXX~~

DAVE BROWN
Chairman.

STATE PUB. CO.
Helena, Mont.

COMMITTEE SECRETARY